

111TH CONGRESS  
1ST SESSION

# S. 327

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2009

Mr. LEAHY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Improving Assistance  
5       to Domestic and Sexual Violence Victims Act of 2009”.

1 **SEC. 2. DEFINITIONS AND UNIVERSAL GRANT CONDITIONS**  
2 **UNDER VAWA.**

3 (a) **YOUTH DEFINITION.**—Section 40002(a)(37) of  
4 the Violence Against Women Act of 1994 (42 U.S.C.  
5 13925(a)(37)) is amended to read as follows:

6 “(37) **YOUTH.**—The term ‘youth’ means indi-  
7 viduals who are between the ages of 12 and 24.”.

8 (b) **EXPERTISE REQUIREMENT.**—Section  
9 40002(b)(11) of the Violence Against Women Act of 1994  
10 (42 U.S.C. 13925(b)(11)) is amended by adding at the  
11 end the following: “The Director of the Office on Violence  
12 Against Women shall ensure that training or technical as-  
13 sistance will be developed and provided by entities having  
14 demonstrated expertise in the purposes, uses of funds, and  
15 other aspects of the grant program for which such training  
16 or technical assistance is provided.”.

17 (c) **MATCHING REQUIREMENT.**—Section 40002(b)(1)  
18 of the Violence Against Women Act of 1994 (42 U.S.C.  
19 13925(b)(1)) is amended to read as follows:

20 “(1) **MATCH.**—No matching funds shall be re-  
21 quired for a grant or subgrant made under this title  
22 for—

23 “(A) any tribe, territory, or victim service  
24 provider; or

1           “(B) any other entity, including a State,  
 2           that the Attorney General determines has ade-  
 3           quately demonstrated financial need.”.

4           (d) TREATMENT OF CONFIDENTIAL INFORMATION.—  
 5   Section 40002(b)(2) of the Violence Against Women Act  
 6   of 1994 (42 U.S.C. 13925(b)(2)) is amended—

7           (1) in subparagraph (A), by inserting “privacy  
 8           and” before “safety”;

9           (2) in subparagraph (B)—

10           (A) by striking “and (D)” and inserting “,  
 11           (D), (E), (F), (G), and (H)”;

12           (B) in clause (i)—

13           (i) by inserting “, reveal, or release”  
 14           after “disclose”; and

15           (ii) by inserting “, regardless of  
 16           whether the information is encoded,  
 17           encrypted, hashed, or otherwise protected,”  
 18           after “individual information”; and

19           (C) in clause (ii)—

20           (i) by striking “reveal” and inserting  
 21           “disclose, reveal, or release”;

22           (ii) by striking each place it appears  
 23           “consent” and inserting “consent or au-  
 24           thorization”;

1 (iii) by striking “persons with disabili-  
 2 ties” and inserting “a person with a  
 3 court-appointed guardian”; and

4 (iv) by striking “person with disabili-  
 5 ties” and inserting “person with a court-  
 6 appointed guardian”;

7 (3) in subparagraph (C)—

8 (A) by inserting “disclosure, revelation, or”  
 9 after “If”;

10 (B) in clause (i), by inserting “, revelation,  
 11 or release” after “disclosure”; and

12 (C) in clause (ii), by inserting “disclosure,  
 13 revelation, or” after “affected by the”; and

14 (4) by designating subparagraph (E) as sub-  
 15 paragraph (H) and inserting after subparagraph (D)  
 16 the following:

17 “(E) STATUTORILY PERMITTED REPORTS  
 18 OF ABUSE OR NEGLECT.—Nothing in this para-  
 19 graph shall prohibit a grantee or subgrantee  
 20 from reporting abuse and neglect, as those  
 21 terms are defined by law, and where mandated  
 22 or expressly permitted by the State, tribe, or  
 23 territory involved.

24 “(F) PREEMPTION.—The provisions of this  
 25 paragraph shall not supersede any other provi-

sion of Federal, State, tribal, territorial, or local law relating to the privacy or confidentiality of information to the extent to which such other provision provides greater privacy or confidentiality protection than this paragraph for victims of domestic violence, dating violence, sexual assault, or stalking.

“(G) CERTAIN MINORS AND PERSONS WITH GUARDIANS.—If a minor or a person with a court-appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent or authorization, the minor or person with a court-appointed guardian may consent to a disclosure, revelation, or release of information. In no case may consent or authorization for release of information be given by the abuser of the minor, or person with a court-appointed guardian, or the abuser of the other parent of the minor.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to grants awarded for periods beginning on or after October 1, 2009.

### **SEC. 3. CRIMINAL JUSTICE.**

(a) APPLICATION REQUIREMENTS.—

1           (1) IN GENERAL.—Section 2007(d) of the Om-  
 2           nibus Crime Control and Safe Streets Act of 1968  
 3           (42 U.S.C. 3796gg–1(d)) is amended—

4                   (A) in paragraph (3) by striking “and”  
 5           after the semicolon;

6                   (B) in paragraph (4), by striking the pe-  
 7           riod and inserting “and”; and

8                   (C) by inserting at the end the following:

9           “(5) proof of compliance with the requirements  
 10          prohibiting the publication of protection order infor-  
 11          mation on the Internet provided in section 2013A.”.

12           (2) EFFECTIVE DATE.—The amendments made  
 13          by paragraph (1) shall apply to grants awarded for  
 14          periods beginning on or after October 1, 2009.

15          (b) STATE AND FEDERAL OBLIGATIONS.—Section  
 16          2007(f) of the Omnibus Crime Control and Safe Streets  
 17          Act of 1968 (42 U.S.C. 3796gg–1(f)) is amended to read  
 18          as follows:

19           “(f) FEDERAL SHARE.—

20                   “(1) IN GENERAL.—Except as provided under  
 21          paragraph (2), the Federal share of a grant made  
 22          under this subtitle may not exceed 75 percent of the  
 23          total costs of the projects described in the applica-  
 24          tion submitted.

(d) STATE CERTIFICATION.—Part T of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended by inserting after section 2013 the following:

“(a) IN GENERAL.—A State, Indian tribal govern-  
ment, or unit of local government shall not be eligible to  
receive funds under this part unless the State, Indian trib-  
al government, or unit of local government certifies that  
it does not make available publicly on the Internet any  
information regarding the filing for or issuance, modifica-  
tion, registration, extension, or enforcement of a protec-  
tion order, restraining order, or injunction in either the  
issuing or enforcing State, tribal, or territorial jurisdic-  
tion, if such publication would be likely to publicly reveal  
the identity or location of the party protected under such  
order.

1       “(b) EXCEPTION.—A State, Indian tribe, or territory  
 2   may share court-generated and law enforcement-generated  
 3   information about an order or injunction described in sub-  
 4   section (a) if such information is contained in secure, gov-  
 5   ernmental registries for purposes of enforcing orders and  
 6   injunctions described in subsection (a).

7       “(c) EFFECTIVE DATE.—A State, Indian tribal gov-  
 8   ernment, or unit of local government must meet the re-  
 9   quirements of subsection (a) and (b) by the later of—

10           “(1) 2 years from the date of enactment of the  
 11       Improving Assistance to Domestic and Sexual Vio-  
 12       lence Victims Act of 2009; or

13           “(2) the period ending on the date on which the  
 14       next session of the State legislature ends.”.

15       (e) HEALTH CARE PROFESSIONALS.—Section  
 16   2010(c) of the Omnibus Crime Control and Safe Streets  
 17   Act of 1968 (42 U.S.C. 3796gg–4) is amended by striking  
 18   “trained examiners for” and inserting “health care profes-  
 19   sionals for adult and youth”.

20       (f) RURAL STATE.—Section 40002 (a)(22) of the Vi-  
 21   olence Against Women Act of 1994 (42 U.S.C.  
 22   13925(a)(22)) is amended by striking “150,000 people,  
 23   based on the most recent decennial census” and inserting  
 24   “200,000 people, based on the decennial census of 2000”.



1 (g) COSTS FOR CRIMINAL CHARGES AND PROTEC-  
 2 TION ORDERS.—Section 2011(a)(1) of the Omnibus  
 3 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 4 3796gg–5(a)(1)) is amended by inserting “dating vio-  
 5 lence,” before “stalking”.

6 (h) GRANTS TO ENCOURAGE ARREST POLICIES AND  
 7 ENFORCEMENT OF PROTECTION ORDERS.—Section  
 8 2101(c)(4) of the Omnibus Crime Control and Safe  
 9 Streets Act of 1968 (42 U.S.C. 3796hh(c)(4)) is amended  
 10 by inserting “dating violence,” before “stalking”.

11 **SEC. 4. FAMILIES.**

12 (a) IN GENERAL.—Section 41304 of the Violence  
 13 Against Women Act of 1994 (42 U.S.C. 14043d–3) is  
 14 amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by striking “Attor-  
 17 ney General, acting through the Director of the  
 18 Office on Violence Against Women, and in col-  
 19 laboration with the Department of Health and  
 20 Human Services” and inserting “Secretary of  
 21 Health and Human Services (in this section re-  
 22 ferred to as the ‘Secretary’), through the Ad-  
 23 ministration for Children, Youth and Families”;

24 (B) in paragraph (2), by striking “Direc-  
 25 tor” and inserting “Secretary”; and

1 (C) in paragraph (3), by striking “Direc-  
 2 tor” and inserting “Secretary”; and

3 (2) in subsection (d)(1), by striking both places  
 4 it appears “Director” and inserting “Secretary”.

5 (b) EFFECTIVE DATE.—The amendments made by  
 6 subsection (a) shall apply to grants issued on or after Oc-  
 7 tober 1, 2009.

8 **SEC. 5. HOUSING.**

9 (a) SECTION 6.—Section 6(u)(1)(A) of the United  
 10 States Housing Act of 1937 (42 U.S.C. 1437d) is amend-  
 11 ed by inserting “, as described in subparagraph (C),” after  
 12 “HUD approved certification form”.

13 (b) SECTION 8.—Section 8(ee)(1)(A) of the United  
 14 States Housing Act of 1937 (42 U.S.C. 1437f) is amended  
 15 by inserting “, as described in subparagraph (C),” after  
 16 “HUD approved certification form”.

17 **SEC. 6. ECONOMIC SECURITY.**

18 (a) AUTHORITY.—Section 41501(a) of the Violence  
 19 Against Women Act of 1994 (42 U.S.C. 14043f(a)) is  
 20 amended—

21 (1) by striking “The Attorney General” and in-  
 22 serting the following:

23 “(1) IN GENERAL.—The Attorney General”;  
 24 and

1           (2) by striking the last sentence and inserting  
2           the following:

3           “(2) INFORMATION AND ASSISTANCE.—The re-  
4           source center shall provide information and assist-  
5           ance to—

6                   “(A) employers and labor organizations to  
7                   aid in their efforts to develop and implement re-  
8                   sponses to such violence; and

9                   “(B) victim service providers, including  
10                  community-based organizations, State domestic  
11                  violence coalitions, State sexual assault coali-  
12                  tions, and tribal coalitions, to enable to them to  
13                  provide resource materials or other assistance  
14                  to employers, labor organizations, or employ-  
15                  ees.”.

16          (b) ENTITIES PROVIDING ASSISTANCE.—Section  
17          41501 (c)(1) of the Violence Against Women Act of 1994  
18          (42 U.S.C. 14043f(c)(1)) is amended by striking “and  
19          labor organizations” and inserting “, labor organizations,  
20          victim service providers, community-based organizations,  
21          State domestic violence coalitions, State sexual assault  
22          coalitions, and tribal coalitions”.

23       **SEC. 7. TRIBAL ISSUES.**

24          (a) CONSULTATION.—Section 903 of the Violence  
25          Against Women and Department of Justice Reauthoriza-

tion Act of 2005 is amended by inserting at the end the following:

“(c) REPORTS TO CONGRESS.—Not later than 3 months after the date of each of the annual consultations, beginning with the first consultation following the date of the enactment of this subsection, the Attorney General shall submit to the Committee on Indian Affairs and the Committee on the Judiciary of the Senate and the Committee on the Judiciary and the Committee on Natural Resources of the House of Representatives a report summarizing the annual consultations involved, any request of Indian tribes made pursuant to such consultations for enhancing the safety of Indian women, and the investigative efforts of the Federal Bureau of Investigation and prosecutorial efforts of the United States Attorneys on cases of domestic violence, sexual assault, dating violence, and stalking, involving adult Indian women. The first of such reports shall include the total number of investigations, indictments, declinations, and convictions of cases described in the previous sentence for the 3 years preceding the annual consultation involved and each subsequent report shall include the total number of investigations, indictments, declination, and convictions of such cases for the year preceding the annual consultation involved.”.

(b) GRANTS TO INDIAN TRIBAL GOVERNMENTS.—

1           (1) IN GENERAL.—Section 2015 of the Omni-  
2       bus Crime Control and Safe Streets Act of 1968 (42  
3       U.S.C. 3796gg–10) is amended by adding at the end  
4       the following:

5       “(c) AVAILABILITY.—Funds appropriated under this  
6       section shall remain available until expended and may only  
7       be used for the activities described in this section.

8       “(d) DURATION.—Grants made under this section  
9       shall be for a period of 24 months. Upon request of a  
10      grantee, the tribal deputy director may extend the grant  
11      period involved for purposes of enabling the grantee to  
12      complete the activities agreed to under the terms of the  
13      grant provided that no additional funds may be provided  
14      under this section pursuant to such extension.

15      “(e) TECHNICAL ASSISTANCE.—

16           “(1) IN GENERAL.—Not later than 6 months  
17      after the date of receipt of funding for this program,  
18      the Director of the Office on Violence Against  
19      Women shall set aside and disperse not less than 6  
20      percent of the total amount of the funds made avail-  
21      able under this section for the purpose of entering  
22      into cooperative agreements with qualified tribal or-  
23      ganizations to provide technical assistance and train-  
24      ing to Indian tribes to address violence against In-  
25      dian women. Such training and technical experience

1 shall be specifically designed to address the unique  
2 legal status and geographic circumstances of the In-  
3 dian tribes receiving funds under this section.

4 “(2) QUALIFIED TRIBAL ORGANIZATION.—For  
5 purposes of paragraph (1), a qualified tribal organi-  
6 zation is a tribal organization with demonstrated ex-  
7 perience in providing training and technical experi-  
8 ence to Indian tribes in addressing violence against  
9 Indian women.”.

10 (2) EFFECTIVE DATE.—The amendment made  
11 by paragraph (1) shall apply to grants made on or  
12 after October 1, 2009.

13 **SEC. 8. POLYGRAPH PROCEDURES.**

14 (a) STOP GRANTS.—Section 2013(a) of the Omni-  
15 bus Crime Control and Safe Streets Act of 1968 (42  
16 U.S.C. 3796gg–8(a)) is amended by striking “as a condi-  
17 tion for proceeding with the investigation of such an of-  
18 fense”.

19 (b) GRANTS TO ENCOURAGE ARREST.—Section  
20 2101(c)(5)(A) of the Omnibus Crime Control and Safe  
21 Streets Act of 1968 (42 U.S.C. 3796hh(c)(5)(A)) is  
22 amended by striking “as a condition for proceeding with  
23 the investigation of such an offense”.

1 (c) EFFECTIVE DATE.—The amendments made by  
 2 subsections (a) and (b) shall apply to grants made on or  
 3 after the latter of the following dates:

4 (1) The date that is 2 years after the date of  
 5 the enactment of this Act.

6 (2) The date on which the next session of the  
 7 State legislature of the State involved ends.

8 **SEC. 9. SEXUAL ASSAULT NURSE EXAMINERS.**

9 Section 2101(b) of the Omnibus Crime Control and  
 10 Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)) is amend-  
 11 ed by adding at the end the following new paragraph:

12 “(14) To provide for sexual assault forensic  
 13 medical personnel examiners in the collection and  
 14 preservation of evidence, expert testimony, and  
 15 treatment of trauma related to sexual assault.”.

16 **SEC. 10. SEXUALLY TRANSMITTED INFECTION TESTING**  
 17 **AND TREATMENT.**

18 Section 2101 of the Omnibus Crime Control and Safe  
 19 Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

20 (1) in subsection (b), as amended by section 9,  
 21 by adding at the end the following new paragraph:

22 “(15) To develop human immunodeficiency  
 23 virus (HIV), Hepatitis B, Hepatitis C, and sexually  
 24 transmitted infection testing and treatment pro-  
 25 grams for sexual assault victims that include notifi-

1 cation, treatment, counseling, and confidentiality  
2 protocols.”; and

3 (2) in subsection (d)—

4 (A) by inserting “OR TREATMENT” after  
5 “NOTICE”; and

6 (B) by striking paragraph (2) and insert-  
7 ing the following:

8 “(2) certifies it has a law that requires the  
9 State or unit of local government, respectively, to  
10 provide at the request of a victim or the parent or  
11 guardian of a victim—

12 “(A) anonymous and confidential free test-  
13 ing for the victim for the human immuno-  
14 deficiency virus (HIV), Hepatitis B, Hepatitis  
15 C, and other sexually transmitted infections as  
16 medically appropriate;

17 “(B) as soon as practicable, notification to  
18 the victim, or parent or guardian of a victim, of  
19 the testing results;

20 “(C) anonymous and confidential free fol-  
21 low-up testing for the victim as medically ap-  
22 propriate;

23 “(D) free prophylaxis and treatment as  
24 necessary for the victim;



1           “(E) free counseling and support to the  
 2           victim regarding any health care concerns of  
 3           the victim with respect to the human immuno-  
 4           deficiency virus (HIV), Hepatitis B, Hepatitis  
 5           C, and other sexually transmitted infections;  
 6           and

7           “(F) assurances that the test results of the  
 8           victim shall remain confidential unless other-  
 9           wise provided by law; and

10          “(3) provides assurances to the satisfaction of  
 11          the Attorney General that its laws will be in compli-  
 12          ance with the requirements of paragraph (1) or (2)  
 13          by a date that is not later than the latter of the fol-  
 14          lowing dates:

15               “(A) The date that is 2 years after the  
 16               date of the enactment of the Improving Assist-  
 17               ance to Domestic and Sexual Violence Victims  
 18               Act of 2009.

19               “(B) The date on which the next session of  
 20               the State legislature ends.”.

21 **SEC. 11. CLARIFICATION OF THE TERM CULTURALLY AND**  
 22 **LINGUISTICALLY SPECIFIC.**

23          (a) DEFINITIONS.—Section 40002(a) of the Violence  
 24 Against Women Act of 1994 (42 U.S.C. 13925(a)) is  
 25 amended—

1           (1) by striking paragraph (17) and redesignating the subsequent paragraphs accordingly; and

2           (2) by inserting after paragraph (5) the following new paragraphs and redesignating the subsequent paragraphs (as redesignated by paragraph (1)) accordingly:

3           “(6) CULTURALLY SPECIFIC.—The terms ‘culturally specific’ and ‘culturally and linguistically specific’ mean specific to racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

4           “(7) CULTURALLY AND LINGUISTICALLY SPECIFIC SERVICES.—The terms ‘culturally and linguistically specific services’ and ‘culturally specific services’ mean community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward culturally specific communities.”.

5           (b) COLLABORATIVE GRANTS TO INCREASE THE LONG-TERM STABILITY OF VICTIMS.—Section 41404 of the Violence Against Women Act of 1994 (42 U.S.C. 13701 et seq.) is amended in subsection (f)(1) by striking “linguistically and culturally” and inserting “culturally and linguistically”.

1       (c) GRANTS TO COMBAT VIOLENCE AGAINST WOMEN  
 2 IN PUBLIC AND ASSISTED HOUSING.—Section 41405 of  
 3 the Violence Against Women Act of 1994 (42 U.S.C.  
 4 13701 et seq.) is amended in subsection (c)(2)(D) by  
 5 striking “linguistically and culturally” and inserting “cul-  
 6 turally and linguistically”.

7       (d) STATE GRANTS.—Section 2007(e)(2)(D) of the  
 8 Omnibus Crime Control and Safe Streets Act of 1968 (42  
 9 U.S.C. 3796gg–1(e)(2)(D)) is amended by striking “lin-  
 10 guistically and culturally” and inserting “culturally and  
 11 linguistically”.

12       (e) SEXUAL ASSAULT SERVICES.—Section 2014 of  
 13 the Omnibus Crime Control and Safe Streets Act of 1968  
 14 (42 U.S.C. 14043g) is amended—

15               (1) in subsection (b)—

16                       (A) in paragraph (1), by striking “and  
 17 other programs and projects”;

18                       (B) in paragraph (2)(B)—

19                               (i) by striking “and other nonprofit,  
 20 nongovernmental organizations for pro-  
 21 grams and activities”; and

22                               (ii) by inserting “to sexual assault vic-  
 23 tims” after “that provide direct interven-  
 24 tion and related assistance”; and

1 (C) in paragraph (2)(C)(v), by striking  
 2 “linguistically and culturally” and inserting  
 3 “culturally and linguistically”;

4 (2) in subsection (c)(2)(A) by striking “that fo-  
 5 cuses primarily on” and inserting “whose primary  
 6 mission is to address one or more”;

7 (3) in subsection (c)(2)(C) by striking “linguis-  
 8 tically and culturally” and inserting “culturally and  
 9 linguistically”; and

10 (4) in subsection (c)(4)(B) by deleting “under-  
 11 served”.

12 (f) ENHANCING CULTURALLY AND LINGUISTICALLY  
 13 SPECIFIC SERVICES FOR VICTIMS OF DOMESTIC VIO-  
 14 LENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND  
 15 STALKING.—Section 121 of the Violence Against Women  
 16 and Department of Justice Reauthorization Act of 2005  
 17 (42 U.S.C. 14045a) is amended—

18 (1) in subsection (b)(1)(A) by inserting “for  
 19 culturally and linguistically specific populations”  
 20 after “resources”;

21 (2) in subsection (b)(1)(B) by inserting “cul-  
 22 turally and linguistically specific” before “resources  
 23 for”; and

1           (3) in subsection (g) by striking “linguistic and  
2           culturally” and inserting “culturally and linguis-  
3           tically”.

4 **SEC. 12. NATIONAL RESOURCE CENTER GRANTS TECH-**  
5 **NICAL AMENDMENT.**

6           Section 41501(b)(3) of the Violence Against Women  
7 Act of 1994 (42 U.S.C. 14043f(b)(3)) is amended by  
8 striking “for materials”.

9 **SEC. 13. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**  
10 **INDIAN WOMEN.**

11          Section 904(a)(1) of the Violence Against Women  
12 and Department of Justice Reauthorization Act of 2005  
13 (42 U.S.C. 3796gg–10(a)(1) note) is amended by striking  
14 “in Indian country” and inserting “on land owned or held  
15 in trust for the benefit of an Indian tribe included on the  
16 list published under section 104 of the Federally Recog-  
17 nized Indian Tribe List Act of 1994 (25 U.S.C. 479a–  
18 1)”.

19 **SEC. 14. MOTIONS TO REOPEN.**

20          (a) IN GENERAL.—Section 240(c)(7)(C)(iv)(I) of the  
21 Immigration and Nationality Act (8 U.S.C.  
22 1229a(c)(7)(C)(iv)(I)) is amended to read as follows:

23                               “(I) if the basis for the motion is  
24                               to apply for relief under subparagraph  
25                               (T) or (U) of section 101(a)(15),

1 clause (iii) or (iv) of section  
 2 204(a)(1)(A), clause (ii) or (iii) of sec-  
 3 tion 204(a)(1)(B), section 240A(b)(2),  
 4 section 244(a)(3) (as in effect on  
 5 March 31, 1997), or subsection (l) or  
 6 (m) of section 245;”.

7 (b) EFFECTIVE DATE.—The amendment made by  
 8 subsection (a) shall take effect on the date of the enact-  
 9 ment of this Act and shall apply to applications filed be-  
 10 fore, on, or after such date.

11 **SEC. 15. EXTENSION OF T NONIMMIGRANT STATUS.**

12 (a) IN GENERAL.—Section 214(o)(7) of the Immigra-  
 13 tion and Nationality Act (8 U.S.C. 1184(o)(7)) is amend-  
 14 ed by adding at the end the following:

15 “(D) An alien may apply for extension of status  
 16 under subparagraph (B) retroactively after the expiration  
 17 of nonimmigrant status under subparagraph  
 18 101(a)(15)(T).”.

19 (b) EFFECTIVE DATE.—The amendments made by  
 20 under subsection (a) shall take effect on the date of the  
 21 enactment of this Act and shall apply to applications filed  
 22 before, on, or after such date.

23 **SEC. 16. T AND U NONIMMIGRANT PROTECTIONS.**

24 (a) IN GENERAL.—Section 107(b)(1)(E)(i)(II)(aa) of  
 25 the Trafficking Victims Protection Act of 2000 (22 U.S.C.

1 7105(b)(1)(E)(i)(II)(aa)) is amended by striking “bona  
2 fide” and inserting “prima facie”.

3 (b) CONFORMING AMENDMENT.—Section 214(p)(6)  
4 of the Immigration and Nationality Act (8 U.S.C.  
5 1184(p)(6)) is amended by striking “bona fide” and in-  
6 serting “prima facie”.

7 (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect on the date of the enactment  
9 of this Act and shall apply to applications filed before, on,  
10 or after such date.

11 **SEC. 17. U NONIMMIGRANT ADJUSTMENT OF STATUS.**

12 (a) IN GENERAL.—Section 245(m)(3) of the Immi-  
13 gration and Nationality Act (8 U.S.C. 1255(m)(3)) is  
14 amended by inserting “or an unmarried sibling under 18  
15 years of age on the date of such application for adjustment  
16 of status under paragraph (1),” after “a parent”.

17 (b) EFFECTIVE DATE.—The amendment made by  
18 this section shall take effect on the date of the enactment  
19 of this Act and shall apply to applications filed before, on,  
20 or after such date.

21 **SEC. 18. CONFORMING AMENDMENT CONFIRMING HOUS-**  
22 **ING ASSISTANCE FOR QUALIFIED ALIENS.**

23 (a) IN GENERAL.—Section 214 of the Housing and  
24 Community Development Act of 1980 (42 U.S.C. 1436a)  
25 is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (6), by striking “or” at  
3 the end;

4 (B) by redesignating paragraph (7) as  
5 paragraph (8); and

6 (C) by inserting after paragraph (6) the  
7 following:

8 “(7) a qualified alien described in section 431  
9 of the Personal Responsibility and Work Oppor-  
10 tunity Reconciliation Act of 1996 (8 U.S.C. 1641);  
11 or”; and

12 (2) in subsection (c)—

13 (A) in paragraph (1)(A), by striking “(6)”  
14 and inserting “(7)”; and

15 (B) in paragraph (2)(A), in the matter  
16 preceding clause (i), by inserting “(other than  
17 a qualified alien described in section 431 of the  
18 Personal Responsibility and Work Opportunity  
19 Reconciliation Act of 1996 (8 U.S.C. 1641)”  
20 after “any alien”.

21 (b) EFFECTIVE DATE.—The amendments made by  
22 subsection (a) shall apply to applications for public bene-  
23 fits and public benefits provided on or after the date of  
24 the enactment of this Act without regard to whether regu-



1 lations to carry out such amendments have been imple-  
2 mented.

3 **SEC. 19. PROCESSING OF CERTAIN VISAS.**

4 (a) IN GENERAL.—Section 238(b)(5) of the William  
5 Wilberforce Trafficking Victims Protection Reauthoriza-  
6 tion Act of 2008 (Public Law 110–457; 122 Stat 5085)  
7 is amended to read as follows:

8 “(5) Measures taken to ensure that—

9 “(A) the Office of Policy and Strategy at  
10 United States Citizenship and Immigration  
11 Services leads policy and program development  
12 with regard to Violence Against Women Act  
13 confidentiality-protected victims and their deriv-  
14 ative family members; and

15 “(B) there is routine consultation with the  
16 Office on Policy and Strategy during the devel-  
17 opment of any other Department of Homeland  
18 Security regulation or operational policy that  
19 impacts Violence Against Women Act confiden-  
20 tiality-protected victims and their derivative  
21 family members.”.

22 (b) EFFECTIVE DATE.—The amendments made by  
23 subsection (a) shall take effect on the date of the enact-

1 ment of this Act and shall apply to applications filed be-  
2 fore, on, or after such date.

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